

## EXHIBIT A



Entered on Docket  
March 11, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,<sup>1</sup>

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,<sup>2</sup>

USA SECURITIES, LLC,<sup>3</sup>

Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

CHAPTER 11

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING SEVENTH  
OMNIBUS OBJECTION OF USACM  
LIQUIDATING TRUST TO DUPLICATE  
PROOFS OF CLAIM**

Hearing Date: February 20, 2009  
Hearing Time: 9:30 a.m.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.

1 The Court having considered the “Seventh Omnibus Objection of USACM  
2 Liquidating Trust to Duplicate Proofs of Claim; and Certificate of Service” [Docket No.  
3 6740] (the “Objection”); the Court having heard the matter on February 20, 2009;  
4 appropriate notice of the Objection having been given; no response to the Objection  
5 having been filed; and good cause appearing:

6 **IT IS HEREBY ORDERED** that:

- 7 1. The Objection is sustained;
- 8 2. The duplicate claims listed on Exhibit A to this Order are disallowed in their  
9 entirety; and
- 10 3. The surviving claims listed on Exhibit A to this Order are not affected by  
11 this Order, but may be subject to further objection.
- 12

13 PREPARED AND RESPECTFULLY SUBMITTED BY:

14 **LEWIS AND ROCA LLP**

15 By /s/ John Hinderaker (018024)  
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John Hinderaker (*pro hac vice*)  
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19  
20 *Attorneys for USACM Liquidating Trust*

21 APPROVED/DISAPPROVED

22  
23 By: \_\_\_\_\_  
August Landis  
24 Assistant United States Trustee

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## EXHIBIT A

**USA – DUPLICATE CLAIMS TABLE (7)**

<b><u>Claimant's Name and Address</u></b>	<b><u>Duplicate Claim #</u></b>	<b><u>Duplicate Claim Amount</u></b>	<b><u>Basis for Objection</u></b>	<b><u>Surviving Claim #</u></b>	<b><u>Surviving Claim Amount</u></b>
Benjamin, Philip & Maureen P.O. Box 376 Indian Springs, NV 89018-0376	10725-01956	\$55,381.90	The claim is based on investment in MS Acquisition Company and is duplicate of Claim #10725-02320. The USACM Liquidating Trust requests claim #10725-01956 be disallowed in its entirety.	10725-02320	\$55,381.90
USA Commercial Real Estate Group c/o Jeffrey R Sylvester Esq Sylvester & Polednak Ltd 7371 Prairie Falcon Rd, Ste. 120 Las Vegas, NV 89128	10725-01982	\$10,719.49	The claim is a duplicate of claim #10725-02318. This claim was erroneously filed twice. The USACM Liquidating Trust requests claim #10725-01982 be disallowed in its entirety.	10725-02318	\$10,719.49
Cynthia Milanowski Trust c/o Jeffrey R Sylvester Esq Sylvester & Polednak Ltd 7371 Prairie Falcon Rd, Ste. 120 Las Vegas, NV 89128	10725-01984	\$26,891.23	The claim is a duplicate of Claim #10725-02317. This claim was erroneously filed twice. The USACM Liquidating Trust requests claim #10725-01984 be disallowed in its entirety.	10725-02317	\$26,891.23
Milanowski, Nv & J Marlene 1004 Haley Pl Delta, CO 81416-2443	10725-01986	\$31.52	The claim is based on investment in Brookmere/Matteson and is a duplicate of claim #10725-02316. This claim was erroneously filed twice. The USACM Liquidating Trust requests claim #10725-01986 be disallowed in its entirety.	10725-02316	\$31.52

<u>Claimant's Name and Address</u>	<u>Duplicate Claim #</u>	<u>Duplicate Claim Amount</u>	<u>Basis for Objection</u>	<u>Surviving Claim #</u>	<u>Surviving Claim Amount</u>
Wisch, Craig 210 Andrew Ave Naugatuck, CT 06770	10725-02010	\$317,369.28	The claim is a duplicate of claim #10725-02180. This claim was erroneously filed twice. The USACM Liquidating Trust requests claim #10725-02010 be disallowed in its entirety.	10725-02180	\$317,369.28
Ruth Zimmerman & Moshe Kirsh Jtwros 15721 Milbank St Encino, CA 91436	10725-02032	\$244,311.94	The claim is based on investment in Marquis Hotel and Riviera-Homes for America Holdings LLC and is a duplicate of Claim #10725-02033. This claim was erroneously filed twice. The USACM Liquidating Trust requests claim #10725-02032 be disallowed in its entirety.	10725-02033	\$244,311.94
Marguerite Falkenborg 2000 Trust Dtd 6/20/00 c/o Marguerite Falkenborg Ttee 727 3 <sup>rd</sup> Ave Chula Vista, CA 91910-5803	10725-02068	\$814,366.81	The claim is a duplicate of claim #10725-02202. This claim was erroneously filed twice. The USACM Liquidating Trust requests claim #10725-02068 be disallowed in its entirety.	10725-02202	\$794,366.81
Duberg, John H 4455 Vista Coronado Dr Chula Vista, CA 91910-3234	10725-02069	\$87,877.81	The claim is based on investment in Slade and Bay Pompano Beach and is a duplicate of Claim #10725-02201. This claim was erroneously filed twice. The USACM Liquidating Trust requests claim #10725-02069 be disallowed in its entirety.	10725-02201	\$87,877.81

<u>Claimant's Name and Address</u>	<u>Duplicate Claim #</u>	<u>Duplicate Claim Amount</u>	<u>Basis for Objection</u>	<u>Surviving Claim #</u>	<u>Surviving Claim Amount</u>
Doerr Family Trust Dated 9/12/02 Franz J Doerr Shelter Trust of the Doerr Family Linda Patrucco Doerr, Ttee 690 West Riverview Cir. Reno, NV 89509-1130	10725-02114 10725-02115	\$659,484.08 \$659,484.08	The claims are based on investment in Harbor Georgetown, Palm Harbor One, and Tabia Ranch. They are exact duplicates and are amended by claim #10725-02116. The USACM Liquidating Trust requests claim #10725-02114 and 10725-02115 be disallowed in their entirety.	10725-02116	\$659,484.08
Burgarello Inc Profit Sharing Plan c/o Ronald A Johnson Ttee 50 Snider Way Sparks, NV 89431-6308	10725-02128	\$405,600.00	The claim is based on investment in Wasco Investments, J Jireh's Corporation, Gateway Stone, and Elizabeth May Real Estate and is a duplicate of claim #10725-02263. This claim was erroneously filed twice. The USACM Liquidating Trust request claim #10725-02128 be disallowed in its entirety.	10725-02263	\$405,600.00